

STATE OF TEXAS §  
COUNTIES OF ARANSAS §  
SAN PATRICIO AND NUECES §  
CITY OF ARANSAS PASS §

A Special Meeting of the Aransas Pass City Council was held on Monday, August 29, 2016 in the Aransas Pass City Hall, 600 W. Cleveland Blvd., Aransas Pass, Texas 78336. A notice of the meeting was posted 72 hours in advance in accordance with Section 551, Texas Government Code. Mayor Adan Chapa, and Council Members Vickie Abrego, Billy Ellis, Phillip Hyatt and Carrie Scruggs were present. Also present were City Manager Sylvia Carrillo and City Attorney Allen Lawrence.

1. **CALL MEETING TO ORDER.**

Mayor Chapa called the meeting to order at 7:00 pm.

2. **INVOCATION AND PLEDGE OF ALLEGIANCE TO THE UNITED STATES FLAG.**

Mayor Chapa gave the Invocation and led the Pledge of Allegiance to the United States Flag.

3. **PRESENTATIONS AND PROCLAMATIONS:**

There were no Presentation Items.

4. **BOARD AND COMMISSION APPOINTMENTS:**

There were no Board Appointment Items.

5. **CONSENT AGENDA:**

5.I. Ordinance No. 2016-4164, amending the Code of Ordinances by adding a new Section 2-1.1, Rules of Decorum and as part thereof adopting Robert's Rules of Order; and providing for an effective date.

5.II. Approval of minutes of August 15, 2016.

A motion was made by Council Member Hyatt to approve Items 5.I and 5.II, seconded by Mayor Pro Tem Ellis, and the motion carried.

6. **PUBLIC HEARING:**

6.I-a Second Public Hearing on the Year 2016 Tax Rate.

City Attorney Lawrence declared the public hearing open. City Manager Carrillo stated that the valuations for the 2016 property tax year dropped to \$0.688655, and will bring in the same amount of monies as last year. She added that staff is recommending the adoption of the tax rate.

There being no further comments, City Attorney Lawrence declared the public hearing closed.

6.I-b Ordinance No. 2016-4162 levying upon the assessed valuation of the property within the City of Aransas Pass, Texas subject to taxation, a certain sum upon each one hundred (\$100.00) dollars of valuation sufficient to raise the amount estimated to be requested in the annual budget, less the amount estimated to be received from fines, licenses, and other sources of revenues.

City Manager Carrillo asked that Item 6.I (b) will be postponed until the next meeting.

6.II-a Second Public Hearing on the Aransas Pass Operating Budget for FY2016-2017.

City Attorney Lawrence declared the public hearing open. City Manager Carrillo stated that there were some minor adjustments to the budget since the first public hearing. She discussed the following adjustments in the General Fund: increase in revenue in Franchise Fees, decrease in the City Secretary budget, increase in the Fire Department budget, and a modification with the Harbor Master salary.

Ms. Carrillo then provided a power point presentation and discussed the following: tax rate, the allocation due to the recent Charter Amendment, increase in health care costs, the re-creation of the Park and Mowing Division, revenues and expenditures in the General Fund, discussed budgets by Division, and the budgets for the Municipal Development District and Crime Control and Prevention District.

Ms. Carrillo then provided a power point presentation on the Capital Improvement Budget. She provided a power point presentation and stated that in 2011, the City sold bonds totaling \$4.4 million secured by the Water and Sewer Fund and discussed the project list and allocation for this fund. She then stated that in February 2014, the City sold the 2015 Series – Part 1 totaling \$9.5 million in Combination Tax and Limited Pledge Revenue Certificates of Obligation and discussed the project list and monies for these funds. Ms. Carrillo then stated that Bond Series 2015 – Part 2 totaled \$2.285 million and discussed the project list and amounts allocated for each project. Ms. Carrillo stated that in August 2016, the city approved the Bond Series 2017 in the amount of \$3 million and discussed the project list for these bonds and the amount allocated for each project.

Council Member Abrego asked if the major flood issues are being addressed in the project list and Ms. Carrillo responded in the affirmative. Mayor Chapa asked if the City has started a preventative maintenance schedule, and Ms. Carrillo stated there is a preventative maintenance program. Mr. Saldana stated that the program was instituted by Mr. Gomez for the lift stations, pump stations, basins, utility equipment, and that appropriate logs are maintained.

There being no further comments, City Attorney Lawrence declared the public hearing closed.

6.II-b ~~Ordinance No. 2016-4163 adopting the Annual Budget of the City of Aransas Pass, Texas for Fiscal Year 2016-2017 estimating the revenues for said Fiscal Year; appropriating for the purposes stated the sums set forth in said budget; designating the City Manager as the individual who may make requisitions for encumbrances against appropriations; and directing the City Manager to make necessary entries upon the books and accounts of the City to show the appropriation and allocations herein provided.~~

City Manager Carrillo asked that Item 6.II (b) be postponed until the next meeting.

6.III. Public hearing on the Petition by Gallagher Builders, Inc. to have 24.61 acres of land annexed into the City of Aransas Pass, Texas. The 24.61 acres are out of Lots 1 through 7, Land Block 75, T.P. McCampbell Subdivision and located west of S. Avenue A and north of Highland Avenue.

City Attorney Lawrence declared the public hearing opened. Mr. Miguel Saldana, Director of Development Services stated that Gallagher Builders has submitted a petition to annex 24.61 acres of property. He added that the preliminary plat and development agreement was previously approved by the council. Mr. Saldana stated that this is Phase 1 of the development of 88 single family residential lots.



There being no further comments, City Attorney Lawrence declared the public hearing closed.

- 6.IV. Consider and Act on the Petition by Gallagher Builders, Inc. to have 24.61 acres of land annexed into the City of Aransas Pass, Texas. The 24.61 acres are out of Lots 1 through 7, Land Block 75, T.P. McCampbell Subdivision and located west of S. Avenue A and north of Highland Avenue.

A motion was made by Mayor Pro Tem Ellis to approve Item 6.IV, seconded by Council Member Abrego, and the motion carried.

## **7. CITY MANAGER**

- 7.I. Consider and Act on nominations to the Texas Municipal League Intergovernmental Risk Pool Board of Trustees

City Manager Carrillo stated that since the City is a participant in Texas Municipal League, the City is required to submit nominations to the Intergovernmental Risk Pool Board of Trustees and referred to the following recommendations on behalf of the City of Aransas Pass: Place 6 – Kyle J. Jung, Place 7 – C. J. Wax, Place 8 – Jim Cox, and Place 9 – Andres Garza.

A motion was made by Mayor Pro Tem Ellis to approve Item 7.I, seconded by Council Member Hyatt, and the motion carried.

- 7.II. Consider and Act on awarding RFP for the Electrical/Plumbing Work Bleacher/Vendor Pad.

City Manager Carrillo stated that this is to approve the RFP for the electrical and plumbing work at Community Park for an amount not to exceed \$116,065. She added that the City requested bids and that three bids were received, the highest bid was from FSG for \$134,435 and the lowest bid was from C&I Electric for \$116,065. Council Member Hyatt asked if this was just for the Pad Site, and Ms. Carrillo responded in the affirmative.

Mr. Eli De La Cruz stated that he is familiar with these companies and is pleased with the three bidders, and that they have been in business for some time. Council Member Abrego asked what the plans are for the Pad other than Shrimpooree, and Ms. Carrillo responded they are for bleachers for the soccer field. Mayor Chapa inquired on the dimensions, and Ms. Carrillo responded that the soccer field already exists and that there are no plans to expand.

A motion was made by Mayor Pro Tem Ellis to award the bid for C & I for an amount not to exceed \$116,065, seconded by Council Member Hyatt, and the motion carried.

- 7.III. Consider and Act on awarding RFP for Chain Link and Privacy Fence Work at various areas in town.

City Manager Carrillo stated that this is to approve the RFP for the Chain Link and Privacy Fence for an amount not to exceed \$254,716. She added that the City received two bids, one from S&J Fence Company for the Dog Park, Parking Lot, Skate Park Netting, Batting Cage, Ball Fields 1, 2 and 3, for a total amount of \$197,670. She added that S&J Fence Company also submitted a bid for Ball Fields 4 and 5 but the bids were high. Ms. Carrillo stated that M&M Construction submitted a bid for Ball Fields 4 and 5 for a total amount of \$57,046. Ms. Carrillo stated that Mr. Pena with M&M Construction has requested that the council waive the worker's compensation

requirement citing statutory regulations of less than five employees at the job site. Council Member Abrego asked about the ramifications in the event of an accident, and Ms. Carrillo responded that the City would be liable.

Mr. Eli De La Cruz further discussed the bid including worker's compensation specifications and requirements, project scope, and timeframe.

A motion was made by Mayor Pro Tem Ellis to approve Item 7.III and require M&M Construction to obtain worker's compensation insurance, seconded by Council Member Hyatt, and the motion carried.

**8. COMMUNITY ENRICHMENT:**

There were no Community Enrichment items.

**9. DEVELOPMENT SERVICES:**

**9.I. Consider and Act on Ordinance amending the Code of Ordinances, Article VIII, Flood Damage Prevention, Section 5-116, Basis for establishing areas of Special Flood Hazard.**

Mr. Miguel Saldana, Director of Development Services stated that this item is amending the Flood Damage Prevention Code to bring the City closer to the Community Rating System (CRS), and identifies the different counties in the City of Aransas Pass, and will also update the special flood hazard section to include the Flood Insurance Studies.

A motion was made by Council Member Hyatt to approve Item 9.I, seconded by Council Member Abrego, and the motion carried.

**10. FINANCE:**

There were no Finance items.

**11. INFORMATION TECHNOLOGY:**

There were no Information Technology items.

**12. PUBLIC SAFETY:**

**12.I. Consider and Act on allowing the Police Department to seek proposals for a Camera System to monitor several remote locations in the City and improve the camera system at City Hall and the Public Safety Complex.**

Eric Blanchard, Police Chief stated that this is to allow the Police department to seek proposals for a camera system to monitor several remote locations in the city and improve the camera system at City Hall and the Public Safety Complex. He stated that the proposal is for cameras to be installed at Veteran's Memorial Park, City Park (Johnson Street), Harbor Point Park, and at the City Hall Complex. He added that the cameras would be linked directly to the Police department and monitored through dispatch and will include an expansion capability for the future.

Council Member Hyatt asked how long will the data be stored, and Mr. Blanchard responded for approximately three months. Mr. Blanchard stated that the cameras are HD quality and the city will have a service agreement.



A motion was made by Council Member Hyatt to approve Item 12.I, seconded by Council Member Abrego, and the motion carried.

12.II. Consider and Act on amending the Fire Prevention Code.

William Cox, Fire Chief stated that this item is amending two sections of the Fire Prevention Code regarding annual inspections and the fire inspection fees. Mr. Cox discussed the proposed fee schedule including the permit type, and annual/biennial fee associated with the permit. He added that staff is requesting that fire inspections be required every two years, at no cost to the business.

A motion was made by Mayor Pro Tem Ellis to approve Item 12.II, seconded by Council Member Hyatt, and the motion carried.

13. CITIZEN COMMENTS:

Rosemary Vega, Executive Director, Aransas Pass Chamber of Commerce spoke of the upcoming Car Show Event scheduled for this weekend; and distributed information for the upcoming State of the City on September 20, 2016.

City Manager Carrillo displayed an Ad that was prepared by Site Selector Magazine that will receive national attention on the development potential at Conn Brown Harbor.

14. EXECUTIVE SESSION:

14.I. The meeting was recessed into Executive Session at 8:10 pm under the provisions of Section 551, Texas Government Code to discuss the authority of:

- a. Section 551.071 – Consultation with City Attorney: Lloyd W. Richardson (LWR).
- b. Section 551.071 – Consultation with City Attorney: Naismith Lawsuit.
- c. Section 551.074 – Consultation with City Attorney: City Staff.

The Council returned from Executive Session at 9:16 pm.

- a. Section 551.071 – Consultation with City Attorney: Lloyd W. Richardson (LWR).

A motion was made by Council Member Hyatt to extend the Listing Agreement with Cravey Realty with approval of the City Attorney, seconded by Council Member Abrego, and the motion carried.

- b. Section 551.071 – Consultation with City Attorney: Naismith Lawsuit.

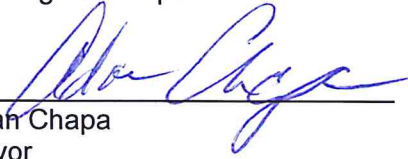
A motion was made by Council Member Hyatt to appoint Mayor Adan Chapa for the mediation with the Naismith Lawsuit scheduled for Friday, September 2, 2016, seconded by Council Member Abrego, and the motion carried.

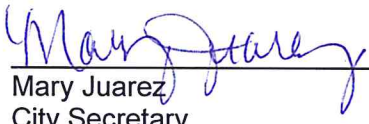
- c. Section 551.074 – Personnel Matters: City Staff.

Mayor Chapa announced that there was no action on this item.

15. ADJOURNMENT

There being no further business to come before the Council, Mayor Chapa adjourned the meeting at 9:16 pm.

  
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Adan Chapa  
Mayor

  
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Mary Juarez  
City Secretary

Approved on: October 3, 2016